

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MEMORANDUM ORDER

Kathryn Lakeberg ("Lakeberg") has just filed a bulky self-prepared Complaint against (1) her ex-employer United Parcel Service ("UPS"), (2) two UPS employees, (3) Teamster Local Union 705 ("Local 705," of which Lakeberg was a member during her UPS employment) and (4) four persons affiliated with Local 705. This Court is contemporaneously issuing its customary initial scheduling order, but this memorandum order is also being issued to limit this litigation to its proper scope.

Although the highly detailed allegations that are set out in Lakeberg's Complaint, together with her extensive documentary exhibits, do not conform to the simplicity called for by Fed. R. Civ. P. 8(a), this Court will not send nonlawyer Lakeberg back to the drawing board to rewrite her pleading--Haines v. Kerner, 404 U.S. 519, 520-21 (1972) (per curiam) understandably teaches that more latitude is to be allowed to pro se litigants who lack knowledge and experience in court matters. Instead this memorandum order focuses on two other problematic aspects of the

Complaint:

1. Because federal jurisdiction is based on UPS' claimed discrimination based on Lakeberg's sex and age, only UPS is the proper defendant in such a Title VII lawsuit. Accordingly prospective defendants Larry Kruml and Sue Jabrowski, employees of UPS, are dismissed from this litigation.

2. Lakeberg's claim of inadequate representation by Local 705 (a claim that was presented to and rejected by the NLRB back in June 2005) is way out of time--Del Costello v. Teamsters, 462 U.S. 151 (1983) allows only six months after a union's claimed offense in that regard within which to file suit. Accordingly Local 705 and the four individuals affiliated with it are also dismissed from this action. With UPS as the only remaining defendant, only it needs to be served with process. Both Lakeberg and UPS are expected to comply with the contemporaneously issued scheduling order before the status date specified there.



Milton I. Shadur
Senior United States District Judge

Date: December 19, 2007